

School Resource Officer and Law Enforcement Procedure

The purpose of this administrative procedure is to provide guidelines for the conduct of the School Resource Officer (SRO) and other law enforcement authorities in RSU 40 schools. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis.

General Expectations Concerning the Roles of School Personnel and the SRO:

- A. The SRO will comply with all applicable federal and state laws, RSU 40 Board policies and procedures, school rules, and Waldoboro Police Department rules in carrying out their duties and responsibilities.
- B. In general, school administrators and staff are responsible for enforcing RSU 40 Board policies and school rules and for maintaining order in the schools. When the SRO observes violations of policies and/or rules the SRO may intervene with students to stop the behavior and will report violations to appropriate administrators.
- C. School administrators and staff may consult with and request assistance from the SRO in addressing student violations of policies and rules as they deem appropriate.
- D. School administrators and staff will notify the SRO or local law enforcement if they have reason to believe that a student has committed a crime or if they obtain evidence of illegal activity (such as weapons, drugs, or alcohol).
- E. School administrators may request the assistance of the SRO in enforcing RSU 40 Board policies, school rules and federal/state laws with visitors and intruders on school property.
- F. Unless there is a health or safety emergency, the SRO will consult with an appropriate school administrator prior to requesting additional law enforcement assistance on school grounds.
- G. The SRO is expected to maintain the same standards of professional conduct in their dealings with staff, students, parents, and community members as other school staff.

Investigations, Questioning and Searches of Students for School-Related Purposes

Some types of student conduct that are forbidden by school rules, such as assaults, bomb threats, weapons possession, and drug offenses, are also punishable by criminal law. When an act is both a violation of school rules and a crime, the school disciplinary investigation by school administrators and the criminal investigation by the police and district attorney will often operate simultaneously. When practical, school administrators and the police should coordinate their investigations.

Whenever practicable, investigations, questioning, and searches of students for school-related conduct that may violate both school rules and the law will be conducted jointly by a school administrator and the SRO.

- A. Evidence of violation of state/federal laws will be turned over to the SRO or other law enforcement authorities, unless such disclosures are otherwise prohibited by FERPA or any other applicable law.
- B. Since police investigative reports and police-obtained witness statements may not always be available to school administrators, the school administrator will prepare and maintain their own records and reports concerning school-related investigations.

Investigations, Questioning and Searches of Students for Non-School-Related Purposes

- A. In general, the SRO and other law enforcement authorities should not use the schools as a venue for questioning and searching students for alleged violations of state or federal laws that are not related to the schools.
- B. Exceptions will be made by the administration in the event of an emergency endangering student or staff safety or in exigent circumstances as authorized by law. Other exceptions may be made on a case-by-case basis after consultation between the Superintendent/designee and law enforcement authorities.

Arrests of Students at School

- A. In general, the SRO and other law enforcement authorities should not arrest students at school for non-school-related activities.
- B. Exceptions to the above will be made in the event of an emergency endangering student and/or staff safety or in exigent circumstances as authorized by law. Other exceptions may be made on a case-by-case basis after consultation between the Superintendent/designee and law enforcement authorities. Whenever practicable, law enforcement should contact the school administrator before making an arrest in school.
- C. A student may be removed from school by an SRO or other law enforcement official when there is a court order, an arrest warrant or when a warrantless arrest is authorized by law. The school administrator will attempt to notify the student's parent/guardian as soon as possible of the student's removal from school.

Responsibility of SRO/Law Enforcement Officials When Conducting Student Questioning, Searches and Arrests

- A. The SRO or other law enforcement officials are responsible for complying with applicable laws and police department policies/procedures concerning questioning, searches, and arrests for juvenile suspects (if the student is under 18) or adult suspects (if the student is over 18).

Confidentiality of Student Information and Records

- A. School administrators may release personally identifiable student information contained in education records to the SRO and other law enforcement authorities in accordance with the requirements of the federal Family Educational Rights and Privacy Act and other applicable laws.
- B. The SRO is considered a school official with legitimate educational interests in reviewing educational records to perform their professional responsibilities.
- C. The SRO is expected to maintain confidentiality of personally identifiable student information in accordance with applicable laws, RSU 40 Board policies and school rules.

Adopted: March 5, 2020